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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,859	02/27/2002	Melissa W. Dunn	MS# 180490.1 (MSFT 4969)	8746
321	7590	03/08/2007	EXAMINER	
SENNIGER POWERS ONE METROPOLITAN SQUARE 16TH FLOOR ST LOUIS, MO 63102			JOO, JOSHUA	
			ART UNIT	PAPER NUMBER
			2154	
			NOTIFICATION DATE	DELIVERY MODE
			03/08/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspatents@senniger.com

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/084,859

Applicant(s)

DUNN, MELISSA W.

Examiner

Joshua Joo

Art Unit

2154

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 30 January 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date of the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☒ Other: See Continuation Sheet.

Continuation of 13. Other:

Applicant's arguments filed 1/30/2007 have been fully considered but they are not persuasive. Applicant argued that:

(1) In Chen et al., US Publication #2003/0191703 (Chen), the client grants access by interested party and not the intended use of the information by the interested party. Chen teaches nothing more than allowing a client investor the ability to grant permission to one or more interested parties to access the client inventor's accounts information and the permission is granted on the basis of who the interested party is and not the interested party's use of the information as recited in the claimed invention.

In response, Chen teaches that the interested party provides identification/authentication (id/auth) information to the database server (Paragraph 0139). The id/auth information is used to determine access level and which client accounts are accessible by the interested party (Paragraph 0139). Examiner considers intention to access client account, by providing id/auth, as the intended use of the information since accessing information can be considered as using the information. More specifically, the id/auth information is the intended use of information since the id/auth information is used to access permissible client accounts.

(2) Nothing in Chen teaches, suggests or anticipates invoking a consent engine to inform the user of the client's request to access user-specific information and inviting the user to permit or deny the client's request to access the information as recited in the claims. Chen discloses the list of potential interested parties are provided by the application server and the application server maintains and stores the list of potential interest parties, "based upon the parties previously entered or selected by the client user for other aggregated accounts".

In response, Chen teaches,

Paragraph 0175, "the client terminal may display a list of potential interested parties 1410 for whom the client user may choose to grant account access. The list of potential interested parties 1410 may be provided by the application server along with an applet transmitted to the client terminal pursuant to client logon..."

Paragraph 0176, "In one embodiment, the data aggregation system may maintain and store the list of potential interested parties 1410 based upon the interested parties 1410 previously entered or selected by the client user for other aggregated accounts 1405. The client can add or delete an interested party 1410 by highlighting a particular interested party 1410 from among those displayed..."

In paragraph 0175, Chen teaches of presenting a client with a display of potential interested parties for account access (Applicant's invoking a consent engine to inform the user of the client's request to access user-specific information), and the client may choose to grant account access (Applicant's inviting the user to permit or deny the client's request to access the information). Regarding paragraph 0176, the interested parties are entered for "other aggregated accounts". Each access level corresponds to aggregated account (Paragraph 0171. access level settings for each listed aggregated account), so the client may grant or deny interested parties requesting access for accounts that are in different access level, i.e. accounts other than the "other aggregated accounts" (Paragraph 0172. change an access level). Therefore, the client is still invited to permit or deny the interested parties' request to access information.